

Application No.: 10/712,303

Docket No.: 4590-234

AMENDMENTS TO THE DRAWINGS:

Please replace Figures 1-6 with the attached figures.

MAY 22 2007

Application No.: 10/712,303Docket No.: 4590-234**REMARKS**

Reconsideration and allowance of the subject application in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 1-15 are pending in the application.

The Examiner has requested that Figures 1-6 have been designated by a legend --Prior Art-- Submitted herewith as "replacement sheets".

Applicant appreciatively notes that claims 8-10 and 15 have been indicated as allowable if rewritten to overcome the objection.

Claims 1, 5, 8, 12-15 are objected to because of the noted informalities. In response, these claims have been amended in accordance with the Examiner's helpful suggestions. Accordingly, the objections should be withdrawn.

Claims 3-7 and 11-14 are rejected under 35 U.S.C. 112, 2nd paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claim 3 has been amended to recite "... ~~bringing about a variation in~~ varying the gain ...". Claims 5, 7 and 12 to 14 are amended to remove the word "if".

Claims 1-7 and 11-14 are rejected under 35 U.S.C. 101 because of lack of utility and no practical application in the claims. All of the rejected claims, Claims 1 to 7 and 11 to 14, are method claims and are clearly within one of the four categories of patentable subject matter (in this case, a process).

Each of the rejected claims is directed to a method for detection and synchronization of a signal in a frequency hopping system. The skilled man would immediately have understood that the signal referred to is not a signal representing only numbers, abstract concepts or ideas, but rather is a physical signal or is representative of a physical signal, with frequency hopping systems being well known in the art as physical systems dealing with the transmission or reception of signals.

Furthermore, the skilled man would immediately have understood that the claimed invention is useful, and that the usefulness is specific, substantial and credible, as it clearly provides improved efficiency in the detection and synchronization of signals in a frequency hopping system.

Application No.: 10/712,303**Docket No.: 4590-234**

The description provides support throughout for the non-abstract nature of the signal which is detected and synchronized, and for the usefulness of the invention. The Examiner is referred by way of example to the passages at page 1, lines 7 to 8; page 1, lines 13 to 28; and page 2, lines 1 to 4, which mention, as background and in a non-limiting fashion, the use of frequency-hopping systems in the context of telecommunication systems or systems using artificial satellites. The Examiner is also referred, by way of example, to the passage at page 8, lines 6 to 20 which provides discussion of advantages associated with particular embodiments of the invention.

It is respectfully submitted that the Examiner withdraws the rejection under 35 USC 101 in light of the comments above. If the Examiner is minded to persist with any part of the rejection under 35 USC 101 it is respectfully requested that the Examiner provides a detailed explanation, in accordance with the provisions MPEP 2107.II.C, as to why the Examiner considers that the claimed invention has no specific and substantial credible utility.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

LOWE HAUPTMAN & BERNER, LLP



Kenneth M. Berner
Registration No. 37,093

1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111
(703) 518-5499 Facsimile
Date: May 22, 2007
KMB/lhb/jlb